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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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PHILIPS INTELLECTUAL PROPERTY & STANDARDS				
P.O. BOX 3001				
BRIARCLIFF MANOR, NY 10510				
EXAMINER				
TRAN, HAI V				
ART UNIT		PAPER NUMBER		
2426				
NOTIFICATION DATE		DELIVERY MODE		
03/03/2011		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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# Office Action Summary

**Application No.**

10/538,631

**Applicant(s)**

TAN ET AL.

**Examiner**

HAI TRAN

**Art Unit**

2426

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 June 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_.

### DETAILED ACTION

The drawing of Fig. 1-2, and 8-11, is/are objected to under 37 CFR 1.83 (a) and 1.84(n) and (o) because

Fig. 1-3, and 5-11 show features specified in Applicant's disclosure and claims are not illustrated with "label representation" corresponding to elements of the drawing thereby the elements/features of the respective Fig. 1-2, and 8-11 are not readily identifiable, for example Fig. 1, el. 100 should be labeled as "*Broadcast Stream*"; Fig. 1, el. 106,109,112 should be labeled as "Application program"; etc...

Any element/structural detail that is essential for a proper understanding of drawing should be indicated with corresponding labels/legends and they should contain as few words as possible.

Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d).

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several

views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

the claimed invention is directed to non-statutory subject matter.

Claim 18, claims "A computer-readable media having embodied thereon a computer program..." However, claim 18 does not clearly limit a computer-readable media to be a memory/disk, see Applicant's specification Page 11 and Fig. 9) and is considered as "signal" *per se* and the claim is non-statutory for that reason.

The Examiner suggests Applicant to review the recent memorandum entitled "Subject matter Eligibility of Computer readable media" issued on January 26, 2010 from the Under Secretary of Commerce for Intellectual Property and Director of the United State Patent and Trademark Office , David J. Kappos

([http://www.uspto.gov/patents/law/notices/101\\_crm\\_20100127.pdf](http://www.uspto.gov/patents/law/notices/101_crm_20100127.pdf)) and amend the claim to include limitation "*non-transitory*".

Any amendment to the claim should be commensurate with its corresponding disclosure.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 19 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. This claim is an omnibus type claim.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over of Kanungo et al. (US5870084) in view of Multimedia Home Platform – Standard 1.0.1 (MHP).

Claim 1, Kanungo discloses a method of handling fonts in STB a recorder for interactive television, wherein said fonts are stored on a recordable storage

medium (Col.11, lines 54-60), said fonts being part of interactive television applications, said applications comprising at least an application program and at least a font (Col. 9, lines 12-20; lines 49-56), said method comprising the step of

storing said downloaded font separate from the application on said recordable storage medium (Col.11, lines 54-60),, whereby each font is only stored once on said recordable storage medium (Col. 10, lines 5-26).

Kanungo does not disclose a recorder for interactive television.

MHP discloses a recorder for interactive television (page 2 Fig. 1, 2, 4 and 5).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kanungo 's STB to be a recorder for an interactive television, as taught by MHP, so **in order to yield predictable results such as taking the advantage of the standard.**

Claim 2, a method according to claim 1, Kanungo (Col. 9, lines 5-65) in view of MHP (page 7) further discloses wherein said applications comprise application modules comprising application programs and fonts.

Claim 3, a method according to claim 1, Kanungo (Col. 11, lines 60-Col. 12, lines 3; lines 52-Col. 13, lines 2) in view of MHP further discloses wherein said downloaded font is stored in a font library.

Claim 4, a method according to claim 1, Kanungo in view of MHP further discloses comprising the steps of parsing said application for included font data indicating at least one font required for running said application, separating said application and said font from the download stream (Col. 13, lines 3-20),

storing said font data and said font as a new font in said font library, in case the font is not already stored in said font library, disregarding the font in the other case, and storing the application module without the font on the storage Col. 10, lines 8-25 and Col. 13, lines 13-20).

Claim 5, a method according to claim 1, Kanungo in view of MHP further discloses wherein said font library comprises individual files (Kanungo Glyph set; Col. 12, lines 52-Col. 13, lines 2).

Claim 6, a method according to claim 5, Kanungo in view of MHP further discloses wherein said font library consists of a single file (Kanungo Col. 11, lines 60-62 and MHP page 7).

Claim 7, a method according to any of the preceding claims, Kanungo (Col. 12, lines 60-Col. 13, lines 2; Col. 14, lines 58-Col. 15, lines 61) in view of MHP further discloses wherein said font library is indexed by a font index preferably comprising data on font language, font name, font type, font library size and font location information of the fonts in said font library.

Claim 8, a method according to claim 1, Kanungo in view of MHP further discloses comprising the step of recording all fonts indicated in a fontindex file of

an iTV broadcast, except for those fonts already stored on said storage medium (Kanungo Col. 10, lines 5-28).

Claim 9, a method according to any of the preceding claims, Kanungo in view of MHP (page 3 disclosure and Fig. 2) further discloses wherein the recordable storage medium is a removable storage medium.

Claim 10, a method according to claim 7, Kanungo in view of MHP (page 3 disclosure and Fig. 2) further discloses wherein the removable storage medium is an optical disc.

Claim 11, a method according to any of the preceding claims, Kanungo in view of MHP (page 6 Fig. 5) further discloses wherein said interactive television is MHP, OpenTV or DASE.

Claim 12, a method according to any of the preceding claims, Kanungo (Col. 12, lines 60-65 and Col. 16, lines 30-38) in view of MHP wherein the font is Chinese

Claim 13, a method according to claim 4, Kanungo (Fig. 10- Col. 12, lines 60-Col. 13, line 2 and Col. 14, lines 58-Col. 15, lines 60) in view of MHP further discloses wherein said font data stored in said font library comprises information on the path location or sequential location of said required font in said font library.

Claim 14, a method according to claim 4, Kanungo (Col. 15, lines 1-15) in view of MHP further discloses wherein said font data stored in said font library



comprises information on the name of said required font enabling locating of font required for running an application program.

Claim 15, a method according to claim 1, Kanungo in view of MHP further comprising the steps of parsing said application for included font data indicating at least one font required for running said application, separating said application and said font from the download stream (Col. 9, lines 12-65; Col. 10, lines 24-27), storing said font data and said font as a new font in said font library, in case the font is not already stored in said font library, replacing the font already stored in the font library by the font separated from the download stream in the other case, and storing the application module without the font on the storage medium (Kanungo Col. 10, lines 5-25).

Claim 16, a method of handling fonts in a playback-recorder for recorded storage media is analyzed with respect to Claim 1.

Kanungo in view of MHP further discloses said media comprising interactive television to be played back, said fonts being stored in a font library on said recordable storage media, and said fonts being part of a recorded interactive television application, comprising the steps of indicating which fonts in said font library are required for playback of said application from said storage media, merging said required fonts with an application being stored on said storage media for running said application (Kanungo Col. 10, lines 41-Col. 11, lines 49).

Claim 17, the Apparatus is analyzed with respect to Claim 1.

Claim 18, the claim is directed toward embody the method of claim 1 in "computer readable medium". It would have been obvious to embody the procedures of Kanungo in view of MHP discussed with respect to claim 1 in a "computer readable medium" in order that the instructions could be automatically performed by a processor.

Claim 19, the claim is directed toward the use of the method according to claim 1. It would have been obvious to one of ordinary skill in the art to have a user to use the method of Claim 1 in an interactive television.

Claim 20, the claim is directed toward embody the method of claim 1 in "storage medium". It would have been obvious to embody the procedures of Kanungo in view of MHP discussed with respect to claim 1 in a "storage medium" in order that the instructions could be automatically performed by a processor.

Moreover, Kanungo in view of MHP further discloses at least two interactive television applications recorded on said storage medium, said applications being stored separate from fonts needed for running said applications, and at least two of said interactive television applications using the same font, whereby not more than one copy of each font is stored on said storage medium (Kanungo Col. 10, lines 5-27).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HAI TRAN whose telephone number is (571)272-7305. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOE HIRL can be reached on (571) 272-3685. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HT  
/HAI TRAN/  
Primary Examiner, Art Unit 2426